

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BEN KUMM; GLEN R. KUMM; JANICE  
KUMM and DEANN KUMM, individually  
and as co-personal representatives of  
the ESTATE OF GAYLORD KUMM;  
ESTATE OF GAYLORD KUMM; and  
STARR KUMM n/k/a Starr Wallace,

Plaintiffs,

v.

PHOENIX LIFE INSURANCE COMPANY  
and PHL VARIABLE INSURANCE  
COMPANY,

Defendants.

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SUN LIFE ASSURANCE COMPANY  
OF CANADA,

Plaintiff,

v.

JANICE KUMM AND DEANN KUMM,  
as co-personal representatives of  
the ESTATE OF GAYLORD KUMM;  
DEANN KUMM, individually; ESTATE  
OF GAYLORD KUMM; BEN KUMM,  
individually, GLEN R. KUMM,  
individually; and STARR KUMM n/ka  
Starr Wallace, individually,

Defendants and  
Third-Party Plaintiff,

v.

GERALD BRYCE, JAMES GRENDALL,  
BRYAN REIL, and PARADIGM  
FINANCIAL SERVICES, LLC,

Third-Party Defendants.

8:08CV368

ORDER

8:08CV290

This matter is before the court on the motion for an immediate progression hearing regarding status of deposition and consolidation by the Defendants/Third Party Plaintiffs in Case No. 8:08CV290 and the Plaintiffs in Case No. 8:08CV368 (Filing No. 136 in 8:08CV290; Filing No. 71 in 8:08CV368). Upon consideration,

**IT IS ORDERED:**

1. The motions for an immediate hearing (Filing No. 136 in 8:08CV290 and Filing No. 71 in 8:08CV368) are granted.

2. A **telephone** conference regarding the status of deposition and consolidation of these matters will be held on **August 24, 2009, at 9:00 a.m.** with the undersigned magistrate judge and the parties. Counsel for the moving parties shall initiate the telephone conference.

DATED this 20th day of August, 2009.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge